REMARKS/ARGUMENTS

Claims 1-14 are pending. Claims 7-14 have been added and Applicant requests consideration of these new claims. In light of the amendments and following remarks, Applicant believes all the claims are in condition for allowance.

The § 112, Second Paragraph, Rejections of Claim 3

Claim 3 was rejected under § 112, second paragraph, as allegedly being indefinite. Initially, the Office Action indicated that there was no antecedent basis for "the placement." Applicant has amended the claim to recite "a placement." Additionally, the Office Action indicated that it was unclear to what "method of derivation" referred. It was indicated that the claim would be examined as "defining a placement and derivation ..." and Applicant has amended the claims accordingly. Thus, it is believed the rejections are overcome.

The § 102(e) Rejection of Claims 1-6

Claims 1-6 were rejected under 35 USC § 102(e) allegedly being anticipated by U.S. Patent No. 6,591,266, issued July 8, 2003 to Li et al. (hereinafter "Li"). Accordingly, it is asserted that Li discloses all the features of the pending claims. For the following reasons, Applicant respectfully traverses the rejection.

The Office Action asserts that Li discloses invoking at definite intervals a scheduler component the executable code effective to create and store a quasi-static copy of the defined web page (citing col. 18, line 45 to col. 19, line 19). A closer inspection of this section of Li reveals that instead Li discloses a content change monitoring component. When this monitoring component detects a modification to the data, the monitoring component notifies, for example, the cache or Web server that a data modification has occurred (see, col. 18, lines 50-65). The monitoring component notifies via messages and the cache or Web server can then invalidate their copy or request a refreshed copy.

With the invention as recited in the claims, a scheduler periodically invokes an executable to generate a new static copy of the web page including a dynamic element. Because the static

copy is periodically generated, it is a quasi-static copy of the web page. Li does not disclose a scheduler as claimed. Instead, Li describes a monitoring component that tracks changes in the data. If changes occur in the data, the monitoring component propagates messages to interested entities that the data has changed.

The Office Action alleges that the monitoring component "periodically" checks to see if data has been modified. Even assuming this is correct, the monitoring component does not then invoke an executable to generate a new static copy of the web page as claimed. Instead, Li discloses that the monitoring component sends messages regarding the change in data. At no point has it been shown that Li discloses that the monitoring component invokes an executable to generate a new static copy of a web page as recited in the claims. As Li actually teaches a different methodology where messages concerning the data change are sent, the reference teaches away from the claimed invention.

As Li does not disclose a scheduler that periodically invokes an executable to generate a static copy of a web page, the reference does not support a prima case of anticipation. All of the pending claims include this or a similar feature so they are all patentable distinct for at least the same reasons.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8693.

Respectfully submitted,

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